
Identifying the issues - Part 145 continuing airworthiness - approved maintenance organisations

Overview

CASA is carrying out a comprehensive post-implementation review of Part 145 of the *Civil Aviation Safety Regulations 1998* (CASR) and associated legislation. As a first step, we would like to hear about the issues you want addressed and your ideas for possible solutions.

Part 145 was first introduced in June 2011 as part of the regulatory program to transition the requirements of aircraft or aeronautical product maintenance certificates of approval from the *Civil Aviation Regulations 1988* (CAR) to CASRs.

CASA believes that some elements of the legislation could be simplified, and some requirements could be less restrictive, whilst still maintaining full compliance with the International Civil Aviation Organization (ICAO), international technical arrangements, and harmonisation with other national aviation authorities (such as the European Aviation Safety Agency).

The post implementation review of Part 145 provides the opportunity to ensure the legislation effectively addresses the relevant safety risks as well as identifying and addressing any errors, omissions, gaps, unintended consequences or implementation issues.

The review will also include relevant aspects of regulations associated with Part 145, such as CASR Part 42 (e.g. certification requirements) and definitions in the CASR 1998 dictionary.

Why we are consulting

CASA is aware of a number of CASR and Manual of Standards requirements which need to be addressed as a priority. Issues identified so far relate to at least one of the following three themes:

- specialist maintenance
- complexity
- international harmonisation.

Responses to this consultation will help to inform the development of interim measures to provide temporary relief from known issues (such as specialist maintenance complexities) until longer term changes are implemented.

The Part 145 Post Implementation Review

The Part 145 post implementation review will evaluate Part 145 of CASR, the Part 145 MOS and applicable CASR, including the respective acceptable means of compliance, advisory and associated guidance material.

The objectives are to:

- ensure that the legislation effectively addresses the relevant safety risks
- maintain compliance with ICAO standards
- improve international harmonisation
- reduce the complexity of the legislation
- improve the harmonisation between related CASR legislation
- improve, where applicable, scalability of the requirements
- fix any anomalies in the legislation and address unintended consequences
- remove ambiguities and generally streamline the legislation
- resolve policy and functionality requirements for specialist maintenance
- identify and provide interim measures to alleviate some of the complexities and burdensome requirements until changes are implemented.

Visit the CASA website <<https://www.casa.gov.au/rules-and-regulations/landing-page/current-rules>> to access the related regulations, Manual of Standards, and Acceptable Means of Compliance Guidance Material including:

- CASR Part 145 (Volume 4 of the CASR 1998)
- Part 145 Manual of Standards
- CASR Part 42 (Volume 1 of the CASR 1998)
- Acceptable Means of Compliance and Guidance Material for Parts 42 and 145
- Dictionary (Volume 5 of the CASR 1998)

About this consultation

This consultation asks for the key issues that you consider need addressing in the post implementation review of Part 145.

First, you will be asked if you have experienced any issues around the three main themes identified so far:

- specialist maintenance
- complexity
- international harmonisation.

It is possible that an issue may span more than one of these themes. In this case, please provide your feedback under the theme that you think applies the most.

You will also be given the opportunity to provide input on any additional issues you would like considered by the post implementation review.

Finally, you will be asked to provide comments to support the development of interim measures to provide temporary relief from known issues until longer term changes are implemented.

In this survey, we will ask you for:

- **personal information**, such as your name, any organisation you represent, and your email address
- **your consent** to publish your submission
- **any comments** you provide.

Our website contains more information on **making a submission and what we do with your feedback** <<https://www.casa.gov.au/rules-and-regulations/landing-page/consultation-process>> .

Who is affected by Part 145

Part 145 legislation currently affects you directly or indirectly or if you are a/an:

- CASR Part 145 approved maintenance organisation (AMO)
- CAR 30 Certificate of Approval holder
- CASR subpart 42G continuing airworthiness management organisation (CAMO)
- CASR Part 147 maintenance training organisation (MTO)
- Part 66 licensed aircraft maintenance engineer (LAME)
- apprentice or tradesperson in aircraft maintenance
- contracting support organisations and individuals
- CASA airworthiness inspector or other staff who deal with the respective continuing airworthiness matters.

Personal information

First name

(Required)

Last name

(Required)

Email

(Required)

Do your views officially represent those of an organisation?

(Required)

Please select only one item

Yes No Don't know

If yes, please specify which organisation you represent

Consent to publish your submission

In order to promote debate and transparency, CASA intends to publish all responses to this consultation. This may include both detailed responses/submissions in full and aggregated data drawn from the responses received.

Where you consent to publication, we will include:

- **your name**, if the submission is made by you as an individual or the name of the **organisation** on whose behalf the submission has been made
- **your responses and comments.**

We will not include any other personal or demographic information in a published response.

Do you give permission for your response to be published?

(Required)

Please select only one item

Yes - This response/submission is provided on behalf of an ORGANISATION and I give permission for it to be published.

Yes - This is an INDIVIDUAL response/submission and I give permission for it to be published.

No - I would like my response/submission to remain confidential but understand that de-identified aggregate data may be published.

Specialist maintenance

Since the commencement of Part 145 and Part 42, CASA has received valuable feedback from stakeholders about the need to simplify the provisions for specialist maintenance.

If you have encountered other issues around specialist maintenance, we encourage you to provide details. Even if the issues that affect you have already been identified, we still urge you to submit details of how and to what extent those issues affect you, and what you consider to be the most effective solution.

Specialist maintenance issues

Issues concerning specialist maintenance identified to date include:

1. Over complex and restrictive legislation to permit specialist maintenance organisations to provide an appropriate level of certification for the maintenance services they provide under their own scope of approval which is not consistent with EASA.
2. Lack of clarity for the requirements and differences between specialist maintenance performed within the limitations of the D rating scope of approval versus specialist maintenance which is required to be performed under the respective A, B and C ratings.
3. Clearer guidance required on the intent of the specialist maintenance class and D rating as support for the maintenance of aircraft and aeronautical products under the other Part 145 class and ratings.
4. The provision for the standalone specialist maintenance class D rating approved maintenance organisation (AMO) to employ holders of a Part 66 aircraft engineer licence is not practical.
5. The complexity and difficulties of establishing what maintenance can be categorised as specialist maintenance under the D3 rating scope of approval.
6. Inconsistent application of the scope of approval for D3 rating provisions, including the specialist maintenance listed under 145.A.30(f) of the Part 145 MOS.

Since the commencement of Part 145 and Part 42, have you experienced any issues around specialist maintenance?

(Required)

Please select only one item

Yes No

What kind of issues and how have they impacted you?

Do your issues relate to a specific item or items of legislation?

Please detail.

Quick links to legislation and advisory material

Visit the CASA website <<https://www.casa.gov.au/rules-and-regulations/landing-page/current-rules>> to access the related regulations, Manual of Standards, and Acceptable Means of Compliance Guidance Material including:

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- Part 145 Manual of Standards
- CASR Part 42 (Volume 1 of the CASR 1998)
- Acceptable Means of Compliance and Guidance Material for Parts 42 and 145
- Dictionary (Volume 5 of the CASR 1998)

What are the most effective solutions to these issues?

Complexity

Since the commencement of Part 145 and Part 42, CASA has received valuable feedback from stakeholders around their complexity.

If you have encountered other similar issues, we encourage you to provide details. Even if the issues that affect you have already been identified, we still urge you to submit details of how and to what extent those issues affect you, and what you consider to be the most effective solution.

Complexity issues

Complexity issues identified to date include:

7. Lack of clarity for the overall applicability, associated functionality and scope for each of the Part 145 Manual of Standards (MOS) Class, Rating and limitations provisions.
8. Uncertainty of the expectations and applicability of the certification requirements for aircraft and aeronautical product maintenance which vary within the Part 145 scope of approval ratings and limitations provisions.
9. Ambiguities with the interpretation and intent of the requirements for competencies to carry out or supervise maintenance.
10. Potential outcomes from the post implementation review of Part 66 including aircraft maintenance engineer licences and ratings may impact the Part 145 legislation.
11. The applicability for the adoption, implementation and management requirements of a maintenance organisation's capability list.
12. Confusion with terminology and definitions for the privileges and requirements for contracting and subcontracting maintenance services to approved and non-approved organisations.
13. Restrictive legislation provisions do not permit a Part 145 approved maintenance organisation (AMO) to provide occasional scheduled line maintenance other than at locations listed within the AMO exposition which is inconsistent with the EASA provisions.
14. Inadequate legislation for the provisions of performing aeronautical product maintenance whilst the product is fitted to the aircraft.
15. Consideration of other CASA regulations which permit maintenance by a Part 145 AMO for aircraft operating under the CAR 1988 requirements.
16. Future development to consolidate safety management system legislation will require subsequent changes to the Part 145 MOS.

Have you experienced any issues around the complexity of Part 145 and relevant Part 42 requirements?

(Required)

Please select only one item

Yes No

What kind of issues and how have they affected you?

Do your issues relate to a specific item or items of legislation?
Please detail.

Quick links to legislation and advisory material

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- CASR Part 42 (Volume 1 of the CASR 1998)
- Acceptable Means of Compliance and Guidance Material for Parts 42 and 145
- Dictionary (Volume 5 of the CASR 1998)

What are the most effective solutions to these issues?

International harmonisation

A primary consideration for the Civil Aviation Safety Authority (CASA) regulatory reform program was maintaining compliance to the International Civil Aviation Organisation (ICAO) Standards and Recommended Practices and international harmonisation with the European Aviation Safety Agency (EASA) requirements. Since the commencement of Part 42 and Part 145, CASA has received valuable feedback from stakeholders concerning international harmonisation.

If you have encountered other issues we encourage you to provide details. Even if the issues that affect you have already been identified, we still urge you to submit details of how and to what extent those issues affect you, and what you consider to be the most effective solution.

International harmonisation issues

Issues concerning international harmonisation identified to date include:

17. the CASR Part 42 maintenance certification requirements for maintenance tasks completed on aircraft is a provision which is specified differently from EASA.
18. consideration of proposed policy or legislation amendments for the potential impact to current national aviation authority bilateral agreements, technical arrangements and associated participating organisations.

Have you experienced any issues around the international consistency of Part 42 and Part 145?

(Required)

Please select only one item

Yes No

What kind of issues and how have they impacted you?

Do your issues relate to a specific item or items of legislation?

Please detail.

Quick links to legislation and advisory material

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- CASR Part 42 (Volume 1 of the CASR 1998)
- Acceptable Means of Compliance and Guidance Material for Parts 42 and 145
- Dictionary (Volume 5 of the CASR 1998)

What are the most effective solutions to these issues?

Interim measures to alleviate issues

CASA proposes to provide interim measures such as general exemption instruments to alleviate known issues.

Issues identified to date

Specialist maintenance issues identified to date include:

1. Over complex and restrictive legislation to permit specialist maintenance organisations to provide an appropriate level of certification for the maintenance services they provide under their own scope of approval which is not consistent with EASA.
2. Lack of clarity for the requirements and differences between specialist maintenance performed within the limitations of the D rating scope of approval versus specialist maintenance which is required to be performed under the respective A, B and C ratings.
3. Clearer guidance required on the intent of the specialist maintenance class and D rating as support for the maintenance of aircraft and aeronautical products under the other Part 145 class and ratings.
4. The provision for the standalone specialist maintenance class D rating approved maintenance organisation (AMO) to employ holders of a Part 66 aircraft engineer licence is not practical.
5. The complexity and difficulties of establishing what maintenance can be categorised as specialist maintenance under the D3 rating scope of approval.
6. Inconsistent application of the scope of approval for D3 rating provisions, including the specialist maintenance listed under 145.A.30(f) of the Part 145 MOS.

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International harmonisation issues identified to date include:

17. the CASR Part 42 maintenance certification requirements for maintenance tasks completed on aircraft is a provision which is specified differently from EASA.
18. consideration of proposed policy or legislation amendments for the potential impact to current national aviation authority bilateral agreements, technical arrangements and associated participating organisations.

Please provide comments on any specific issues previously identified or any additional issues you would like considered for alleviation under CASA temporary measures in the box below:

Final comments

Do you have any final comments or other issues you would like to raise in relation to Part 145?